

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA*FILED*

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose Edmundo CARRANZA

AKA: Jose Edmundo CARRANZA-Bautista

Defendant.

2008 SEP -4 AM 9:44
Magistrate Case No.*'08 MJ 27 17*COMPLAINT FOR VIOLATION OF:Title 8, U.S.C., Section 1326;
Deported Alien Found in the
United States

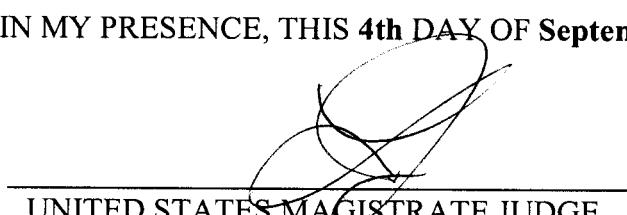
The undersigned complainant, being duly sworn, states:

On or about **January 20, 2008**, within the Southern District of California, defendant, **Jose Edmundo CARRANZA AKA: Jose Edmundo CARRANZA-Bautista** an alien who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States without the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States, in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Immigration Enforcement Agent,
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 4th DAY OF September 2008.



UNITED STATES MAGISTRATE JUDGE

9/3/08

PROBABLE CAUSE STATEMENT

On January 20, 2008, the defendant, **Jose Edmundo CARRANZA AKA: Jose Edmundo CARRANZA-Bautista** was arrested in San Diego, California by the San Diego Police Department for violation of section 496 (D) of the California Penal Code "POSSESSION OF A STOLEN VEHICLE/VESSEL" and booked into San Diego Jail where an Immigration Agent with Immigration Customs Enforcement (ICE) determined the defendant to be a citizen of Mexico and placed a Form I-247 "Immigration Detainer" pending his release from local custody.

On September 3, 2008, the defendant was referred from local custody to the custody ICE at San Diego, California. An Immigration Enforcement Agent reviewed various sources of information and conducted official record checks in regards to the defendant confirming him to be a citizen of Mexico who was previously deported or removed from the United States.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed the defendant was most recently ordered removed or deported from the United States by an Immigration Judge on January 9, 2007 and removed to Mexico. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States lawfully.

The defendant was admonished rights per MIRANDA, acknowledged those rights and elected to answer questions without counsel present. The defendant stated that his true name is Jose Edmundo CARRANZA, that he is a citizen of Mexico who has not obtained a waiver to re-enter the United States. The defendant also admitted he paid \$1500 dollars to alien smugglers to smuggle him into the United States and that he re-entered the United States near Tecate, California.

The Automated Biometric Fingerprint Identification System (IDENT) was utilized and compared the defendant's fingerprints to those contained in this database. The results confirmed his identity as Jose Edmundo CARRANZA AKA: Jose Edmundo CARRANZA-Bautista, a citizen and national of Mexico.